

October 26, 2005

Luly Massaro, Clerk
Public Utilities Commission
89 Jefferson Blvd.
Warwick, RI 02889

Re: Docket 3692

Dear Ms. Massaro,

Pursuant to our telephone conversation of today, please find an original and two (2) copies of the Direct Testimony of Thomas H. Weiss (containing Non-Proprietary Information) and an original and seven (7) copies of the Direct Testimony of Thomas H. Weiss (containing Proprietary Information). In accordance with the protective agreement between the Division and Verizon, the latter set of documents have been enclosed in a sealed envelope and appropriately marked.

Very truly yours,

Leo J. Wold
Special Assistant Attorney General

cc: Service List (cover letter and non-proprietary version only)

1 STATE OF RHODE ISLAND
2 PUBLIC UTILITIES COMMISSION

3
4 * * * *

5
6 Investigation into a Successor Alternative)
7 Regulation Plan for Verizon New England) Docket No. 3692
8 Inc. d/b/a Verizon Rhode Island)
9

10
11 Direct Testimony of
12 Thomas H. Weiss
13 on behalf of the
14 Division of Public Utilities and Carriers
15

16 **Q. MR. WEISS, PLEASE STATE YOUR BUSINESS ADDRESS AND**
17 **OCCUPATION.**

18 A. I am an engineer employed as president of Weiss Consulting, Inc. My business
19 address is 5508 Lake Edge Drive, Holly Springs, NC, 27540.
20

21 **Q. PLEASE DESCRIBE YOUR EDUCATIONAL BACKGROUND AND**
22 **PROFESSIONAL EXPERIENCE?**

23 A. Appendix A to this testimony is my resume that outlines key elements of my
24 educational background and professional experience.
25

26 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY AT THIS TIME?**

27 A. On behalf of the Rhode Island Division of Public Utilities and Carriers (the
28 Division), my purpose is to explain the Division's position with regard to the
29 Verizon-Rhode Island ("Verizon" or "the Company") filing dated August 19,
30 2005 that presents the Company's proposal for a new alternative form of

1 regulation (“proposed AFOR”) to replace the existing regulation plan (“existing
2 Plan”) that was approved by the Commission in RIPUC Docket No. 3445.

3 Verizon-RI operations under the proposed AFOR would commence on January 1,
4 2006, after the expiration of the existing Plan on December 31, 2005.

5
6 **Q. PLEASE DESCRIBE YOUR UNDERSTANDING OF THE PROPOSED**
7 **AFOR.**

8 A. The terms of Verizon-RI’s proposed AFOR represent a significant departure from
9 the terms embodied in the existing Plan. Fundamentally, and most significantly,
10 where the existing Plan restricts changes in the rates and charges applicable to
11 residential services, the proposed AFOR would extend to Verizon-RI’s residential
12 services the same pricing flexibility that the existing Plan allows for services that
13 Verizon-RI offers to its business customers. The Company’s proposal in this
14 regard is grounded in its position that telecommunications competition in the
15 residential services sector has expanded sufficiently in Rhode Island to warrant
16 approval of the proposed AFOR by the Commission.

17
18 Relative to the existing Plan, the proposed AFOR includes other features that
19 follow from Verizon-RI’s fundamental position:

- 20 • allow for the terms of the proposed AFOR to remain in effect continuously
21 and indefinitely into the future;
22
23 • systematic reduction in the monthly state Lifeline subsidy payments;
24
25 • elimination of limits on provisions governing the recognition of the
26 financial effects of “exogenous” events;
27

- 1 • elimination of existing limits on the rates at which its plant and investment
2 are depreciated;
- 3
- 4 • elimination of existing monthly retail service quality reporting
5 requirements;
- 6
- 7 • elimination of existing annual intrastate earnings reporting requirements;
8 and
- 9
- 10 • elimination of existing semi-annual competitive profile reporting
11 requirements.
- 12
- 13

14 In short, relative to the existing AFOR, the proposed Plan would permanently free
15 Verizon from any further routine regulation by the Commission of the prices that
16 Verizon charges at retail for the intrastate products and services that it offers in
17 Rhode Island.

18

19 **Q. DOES THE DIVISION HAVE ANY COMMENTS AND/OR**
20 **RECOMMENDATIONS CONCERNING VERIZON’S PROPOSED**
21 **AFOR?**

22 A. Yes. Changes in Verizon’s proposed AFOR relative to the existing Plan are based
23 principally on Verizon’s “Competitive Profile” reports provided routinely to the
24 Commission in accord with the Commission’s directive in its Report and Order in
25 Docket No. 3445.¹ Verizon’s Competitive Profile report filed with the
26 Commission on August 15 of this year² shows, in percentage terms, that
27 competition for wireline local exchange access in Rhode Island has eroded

¹ IN RE: VERIZON-RHODE ISLAND’S ALTERNATIVE REGULATION PLAN, RIPUC
Docket No. 3445, Report and Order dated March 31, 2003, Ordering Paragraph No. 3.

² Proprietary Attachment 1 to the direct testimony of Robert J. Kenney on behalf of Verizon RI in
the instant docket.

1 Verizon's share of the total wireline access market to only BEGIN
2 PROPRIETARY *** _____ ** END PROPRIETARY percent by June 30, 2005.
3 The same report indicates that Verizon holds only BEGIN PROPRIETARY ***
4 _____ *** END PROPRIETARY percent of the business wireline access market
5 and only BEGIN PROPRIETARY *** _____ *** END PROPRIETARY percent
6 of the residence wireline access market. According to Verizon, this Commission
7 has adopted a market share of less than 70 percent as its standard to indicate that
8 sufficient competition exists in a Verizon-RI market to grant full pricing
9 flexibility in that market.³ In Docket No. 3445, the Commission found that
10 Verizon-RI's share of the business access line market fell below 70 percent and,
11 therefore, the Commission allowed Verizon-RI full pricing flexibility in that
12 market. Now, since its most recent Competitive Profile report shows Verizon's
13 share of both the residential and business wireline access markets falls below 70
14 percent, the Company reasons that the Commission should grant Verizon-RI full
15 pricing flexibility for the services that it offers in its residential market as well as
16 in its business market.
17
18 The state of the wireline access market in Rhode Island is due, in large part, to
19 this Commission's foresight and judgement in adopting a pro-competitive policy
20 for the telecommunications market in the state. In fact, since February 2002,
21 when Verizon first reported on wireline competition in RI (as required by the

³ IN RE: VERIZON-RHODE ISLAND'S ALTERNATIVE REGULATION PLAN, RIPUC Docket No. 3445, Report and Order dated March 31, 2003; see also the Direct testimony of Robert J. Kenney on behalf of Verizon RI in the instant docket, page 14, lines 4-16.

1 Commission in connection with Docket No. 3445), total “Competitive Lines as a
2 Percent of Total Lines” has increased markedly from BEGIN PROPRIETARY
3 *** _____ *** END PROPRIETARY percent in February 2002⁴ to BEGIN
4 PROPRIETARY *** _____ *** END PROPRIETARY percent by the end of June
5 2005.⁵ Over that same period, for business access, the percentage of competitive
6 access lines grew from BEGIN PROPRIETARY *** _____ *** END
7 PROPRIETARY percent to BEGIN PROPRIETARY *** _____ *** END
8 PROPRIETARY percent.⁶ For residence access over the same period, the
9 applicable figures are BEGIN PROPRIETARY *** _____ *** END
10 PROPRIETARY percent and BEGIN PROPRIETARY *** _____ *** END
11 PROPRIETARY percent,⁷ respectively.

12
13 While these percentages appear impressive, they do not portray a completely
14 accurate picture of competition in the state. Over the period from February 2002
15 to June 2005, the estimated sum of retail end-user access lines served by the
16 Company and access lines served by wireline competitors actually declined, but
17 only marginally,⁸ with the decrease being attributable directly to the significant

4 Verizon Rhode Island, Rhode Island Competitive Profile dated June 30, 2003.

5 Verizon Rhode Island, Rhode Island “Updated” Competitive Profile dated June 30, 2005.

6 See FN 2, and FN 3, above.

7 Id.

8 From the same reports cited in FN 2 and FN 3, estimated total competitive access lines decreased, by BEGIN PROPRIETARY *** _____ *** END PROPRIETARY units, from BEGIN PROPRIETARY *** _____ *** END PROPRIETARY lines in February 2002 to BEGIN PROPRIETARY *** _____ *** END PROPRIETARY lines by June 30 of this year.

1 decline, by some 40,000 units,⁹ in the estimated total number of competitive
2 residential access lines from February 2002 to June 2005.¹⁰
3

4 **Q. WHY DON'T VERIZON-RI'S REPORTS TO THE COMMISSION**
5 **PORTRAY A COMPLETE AND ACCURATE PICTURE OF**
6 **TELECOMMUNICATIONS COMPETITION IN THE STATE?**

7 A. The Competitive Profile reports upon which Verizon-RI relies to support its
8 position do not recognize the degree to which alternatives to wireline access have
9 affected telecommunications competition in the state. Mr. Kenney, at page 4,
10 lines 10 and 11 of his direct testimony on behalf of Verizon-RI, recognizes this
11 fact and he notes, in particular, that the report does not include information about
12 customers who have switched from wireline access to Voice over Internet
13 Protocol ("VoIP") or to Wireless service. I agree that the reports do not reflect
14 the competitive impact of either VoIP or wireless access technologies in Rhode
15 Island.

16
17 **Q. DID THE DIVISION MAKE ANY ATTEMPT TO IMPROVE ON THE**
18 **ACCURACY OF THE COMPETITIVE PROFILE REPORTS SO AS TO**
19 **RECOGNIZE, IN WHOLE OR IN PART, THE EFFECTS OF**

⁹ From BEGIN PROPRIETARY *** _____ *** END PROPRIETARY lines in February 2002 to
BEGIN PROPRIETARY *** _____ *** END PROPRIETARY lines by June 30 of this year.

¹⁰ During the same period, the estimated total number of competitive business access lines increased,
by some 36,000 units, from BEGIN PROPRIETARY *** _____ *** END PROPRIETARY lines in
February 2002 to BEGIN PROPRIETARY *** _____ *** END PROPRIETARY lines by June 30,
2005.

1 **ALTERNATIVE TECHNOLOGIES ON COMPETITION IN RHODE**
2 **ISLAND?**

3 A. Recognizing this deficiency in the Competitive Profile report, and in an attempt to
4 estimate the effect(s) that wireless providers have exerted on the competitive
5 profile, the Division initiated discovery requests to Verizon-RI, the responses to
6 which would allow the Division to better determine the impacts of wireless
7 technology, particularly as offered by Verizon Wireless.¹¹ Verizon-RI responded
8 with its objection to the request but noted also that it does not have the requested
9 information.

10

11 In response to other Division discovery requests, however, Verizon-RI did agree
12 that cellular mobile telephone service is a viable competitive alternative to basic
13 local exchange access service;¹² that Verizon Wireless could be construed as such
14 an alternative;¹³ and that Verizon Wireless would be able to take Verizon-RI
15 customers who would be motivated to switch providers if the Company were to
16 use pricing flexibility to charge unreasonable rates.¹⁴

17

18 **Q. WHAT DO YOU CONCLUDE REGARDING WIRELINE ACCESS**
19 **COMPETITION IN RHODE ISLAND GIVEN THE COMPETITION**
20 **STATISTICS SHOWN IN VERIZON-RI'S COMPETITIVE PROFILE**

¹¹ Division, Set No. 1, Item No. 29.

¹² Verizon response to Division Set No. 1, Item No. 18.

¹³ Verizon response to Division Set No. 1, Item No. 19.

¹⁴ Id.

1 **REPORTS AND VERIZON-RI'S OBSERVATIONS, IN RESPONSE TO**
2 **DIVISION DISCOVERY REQUESTS, REGARDING VERIZON**
3 **WIRELESS?**

4 A. While the data show that wireline access competition has advanced in both the
5 business and residence markets in Rhode Island, they also demonstrate that
6 alternative technologies (e.g., VoIP, wireless) offered by unregulated entities are
7 resulting in significant displacement of regulated wireline access as means for
8 consumers to access telecommunications networks in the state. In particular, the
9 data show that the size of the residence wireline access line market is decreasing
10 at a fairly brisk pace;¹⁵ and the facts regarding Verizon Wireless, as reported by
11 Verizon-RI in response to Division Information Requests, indicate that a major
12 source of the decline is the availability of wireless access services, with Verizon
13 Wireless being a contributor to the decline. No doubt, VoIP access service has
14 contributed to the decline as well. While in the broader sense, the decline in the
15 size of the residence wireline access market is not necessarily alarming, the
16 decline does raise questions from the Division's perspective about where the
17 residence market might be headed in the long run especially if Verizon-RI is
18 afforded complete pricing flexibility in the residence access line sector.

19
20 **Q. SPECIFICALLY, WHAT ARE THE DIVISION'S CONCERNS WITH**
21 **REGARD TO VERIZON-RI'S RESIDENCE WIRELINE ACCESS**

¹⁵ See FN 10.

1 **MARKET AND VERIZON-RI'S PROPOSAL TO ABANDON PRICE**
2 **REGULATION IN THAT MARKET?**

3 A. In recent years, this Commission and interstate regulators have implemented
4 policies that have operated to encourage the development of competition among
5 providers of telecommunications services. As expected, competition has
6 developed and matured. Now, however, it is necessary to ensure that the
7 consumers of telecommunications services are not harmed by the competition
8 either through pricing, or through the availability of technological alternatives, or
9 both. The Division is concerned for Verizon-RI's residence wireline access line
10 customers who, in the face of unrestrained increases in the prices that Verizon-RI
11 charges for its most basic residence wireline access services, will not be able to
12 avail themselves of access to basic telecommunication services.

13
14 The Division agrees that viable competition has set into the Rhode Island
15 residence access market generally; it agrees that alternative technologies are
16 contributing to that competition. But, for the Verizon-RI residence wireline
17 access customers who cannot afford to avail themselves of the new technologies
18 or who cannot justify a switch to another wireline access provider,¹⁶ there is little
19 consolation in the possibility that Verizon-RI may have complete flexibility to
20 increase prices for the services that Verizon-RI currently provides to them. In
21 fact, given complete pricing flexibility in its residence wireline access market,
22 Verizon-RI may have the incentive to raise basic residence wireline access rates

¹⁶ For example, elderly subscribers living on fixed incomes.

1 to the point that residence customers generally would migrate to wireless access
2 services, including wireless access services provided by Verizon Wireless.¹⁷ But
3 to Verizon-RI residence customers who find that wireless access may seem too
4 complex or too expensive, the Division is concerned that there is no viable
5 alternative and those customers could be left without access to any form of
6 telecommunications network.

7
8 **Q. GIVEN ITS CONCERNS THAT YOU HAVE EXPLAINED, WHAT IS**
9 **THE DIVISION’S RECOMMENDATION TO THE COMMISSION**
10 **REGARDING VERIZON-RI’S PROPOSAL TO GRANT THE COMPANY**
11 **FULL PRICING FLEXIBILITY FOR THE SERVICES THAT IT OFFERS**
12 **IN THE RESIDENTIAL WIRELINE ACCESS LINE MARKET?**

13 A. The Division recommends that the Commission reject Verizon-RI’s proposal of
14 complete pricing flexibility for residential wireline access at this time. Instead,
15 the Division recommends that monthly rates for Primary Residence Basic
16 Exchange access¹⁸ continue to be constrained, as they are now, to increase by the
17 maximum amount of \$1.00 in any 12-month period and, if increased, the revised
18 rates should remain in effect at least for the full 12-month period. In addition, if
19 Verizon-RI fails to increase Primary residential exchange access rates in any
20 given 12-month period, it should be allowed to “bank” the \$1.00 increase for

¹⁷ It is highly unlikely that such customers would elect VoIP access since such access requires subscription to expensive high-speed Internet access as a prerequisite to using VoIP. See Verizon-RI’s responses to Division Information requests, Set No. 1, Items No. 10 and No. 11.

¹⁸ “Primary” residence basic exchange service is the first exchange access line at a residence.

1 application in a subsequent 12 months. Local residential exchange usage
2 allowances and rates should not be increased above their current levels as
3 described in Part M of Verizon-RI's Exchange and Network Services Tariff.¹⁹
4 While this proposal, admittedly, would shield all customers who take Primary
5 Residential Basic Exchange access service from Verizon-RI, the Division believes
6 that this broad brush approach is necessary to protect those residential wireline
7 access customers, described above, who may be impacted negatively by allowing
8 Verizon-RI full pricing flexibility for the products and services that it offers in its
9 residential market.

10

11 Verizon-RI's proposed AFOR does not include any reference to the existing
12 requirement, established by the Commission in Docket 3445, establishing price
13 ceilings on various residential discretionary services.²⁰ The Division believes that
14 the services to which these ceilings currently apply²¹ are not in the nature of
15 residential wireline access "necessities." Accordingly, the Division recommends
16 that the price ceiling requirements be eliminated for these services.

17

18 **Q. IF THE COMMISSION ADOPTS THE PRICING CHANGES TO THE**
19 **PROPOSED AFOR AS RECOMMENDED BY THE DIVISION, WHAT**

¹⁹ As opposed to "Primary" residence access lines, the prices for second and subsequent residential lines at the same location would not be regulated.

²⁰ IN RE: VERIZON-RHODE ISLAND'S ALTERNATIVE REGULATION PLAN, RIPUC Docket No. 3445, Report and Order dated March 31, 2003, page 49.

²¹ For example, Custom Calling services such as Call-waiting, Caller I.D., etc. For a full listing of these services, see Appendix A, page 3 of the Settlement Agreement which is subject of the Commission's order in Docket No. 3445.

1 **TIME HORIZON SHOULD APPLY TO THE COMMISSION’S**
2 **MODIFIED PROPOSED AFOR?**

3 A. Verizon-RI’s proposal to allow the full price flexibility in both the business and
4 residential markets to remain in effect continuously and indefinitely follows
5 logically if the Commission does adopt the proposed AFOR in its entirety.
6 However, if the Commission adopts the Division’s recommended changes to
7 Verizon-RI’s proposal regarding pricing of residential wireline access, then it
8 should also place a sunset provision on the effectiveness of the revisions. The
9 Division recommends that any Commission revisions to the pricing terms
10 embodied in Verizon-RI’s proposed AFOR be made effective for a period of four
11 years following the effective date of the Commission-approved revisions. This
12 would provide an adequate period of protection for residential customers; it would
13 give Verizon-RI a fair opening once more to seek full residential market pricing
14 flexibility; and it would allow for the Commission’s further review of the
15 competitive landscape for residential wireline access market before considering,
16 again, relaxation of the pricing rules applicable to that market.

17
18 **Q. VERIZON-RI’S PROPOSED AFOR INCLUDES PROVISIONS FOR**
19 **SYSTEMATIC REDUCTIONS IN THE COMPANY’S MONTHLY STATE**
20 **LIFELINE SUBSIDY PAYMENTS. DOES THE DIVISION CONCUR**
21 **WITH THAT PROPOSAL?**

22 A. The Division does not object to the concept of systematically reducing the level of
23 Verizon-RI’s contribution to lower rates for Lifeline customers to levels that

1 would more equitably distribute the burden of support. However, at this time, the
2 Division recommends that the Commission delay implementation of Verizon’s
3 proposal regarding its state Lifeline subsidy contribution for a period of at least
4 twelve months. Commission acceptance of this Division proposal will continue
5 the subsidy at current levels and allow for Rhode Island legislators to consider the
6 development of legislation that would impose uniform application of Lifeline
7 support contributions to more carriers in the state.

8

9 **Q. VERIZON-RI’S PROPOSED AFOR FAILS TO INCLUDE ANY**
10 **PROVISIONS THAT WOULD RECOGNIZE THE FINANCIAL EFFECTS**
11 **OF SO-CALLED “EXOGENOUS EVENTS.” DOES THE DIVISION**
12 **AGREE WITH THAT PROPOSAL?**

13 A. Yes. The exogenous events feature of previous alternative regulation plans in
14 Rhode Island were designed to allow Verizon-RI to recover/refund, at least in
15 part, any changes in costs/revenues that were beyond its direct control²² and that
16 would tend to significantly reduce/increase the level of Verizon-RI’s intrastate
17 earnings. In its Report and Order in connection with Docket No. 3445, the
18 Commission observed that the need for exogenous event recognition would likely
19 decline as Verizon-RI’s markets matured competitively in Rhode Island.
20 Additionally, the Commission noted that Verizon-RI had rarely exercised the
21 exogenous events provisions of previous alternative regulation plans. The
22 Division believes that the need to recognize the effects on Verizon-RI’s intrastate
23 earnings of so-called “exogenous events” has passed because only a small portion

1 of the Company's intrastate earnings are now regulated. Accordingly, the
2 Division recommends that no "exogenous events" provisions be included in the
3 Commission's final findings regarding the Company's filing in this Docket.
4

5 **Q. SHOULD THE COMMISSION CONTINUE TO RESTRICT THE RATES**
6 **AT WHICH VERIZON-RI DEPRECIATES INTRASTATE PLANT AND**
7 **INVESTMENT THAT IT USES TO PROVIDE SERVICE IN RHODE**
8 **ISLAND?**

9 A. No. The existing Plan, Verizon-RI's proposed AFOR and the Division's
10 recommended changes to the proposed AFOR all result in such a small portion of
11 Verizon-RI's intrastate earnings being subject to regulation that continued
12 intrastate regulatory restrictions on the Company's depreciation rates and
13 practices is no longer necessary. Additionally, except for the proposed AFOR,
14 the only Verizon-RI rates that would be subject to regulation are those that apply
15 to the residential market and those rates are subject to very specific limits with
16 respect to changes. Therefore, changes in depreciation practices or rates will not
17 affect the level of regulated rates. Accordingly, the Division recommends that the
18 Commission exclude from the alternative regulation plan that it approves for the
19 Company any requirement that would restrict Verizon-RI's depreciation practices
20 or rates applicable to the intrastate jurisdiction in Rhode Island.
21

22 **Q. VERIZON-RI'S PROPOSED AFOR INCLUDES SPECIFIC PROVISIONS**
23 **THAT WOULD ELIMINATE EXISTING ROUTINE REPORTING**

²² For example, changes in the FCC's jurisdictional cost allocation rules.

1 REQUIREMENTS FOR THE COMPANY. DOES THE DIVISION AGREE
2 WITH THESE PROPOSALS?

3 A. No. The Company's proposed AFOR includes provisions that would eliminate
4 the existing requirements for it to file regular reports with the Commission with
5 respect to: (1) annual intrastate earnings; (2) semi-annual competitive profile;
6 and (3) monthly retail service quality. The Division recognizes that as the
7 competitive market continues to develop in Rhode Island the need for such
8 reporting will diminish. It also understands that the Commission maintains its
9 legislative mandate to continue monitoring the Company's operations and its
10 financial condition. The Division recommends the intrastate earnings,
11 competitive profile, and service quality reports be continued for the Commission
12 to honor that requirement.

13
14 This is particularly true with respect to the retail service quality reports that form
15 a base that the Commission uses to assess the relative differences between the
16 quality of service that Verizon provides to its own retail customers and the quality
17 of service that it provides as unbundled network elements to its competitors. The
18 Division believes, however, that the frequency of the retail service quality reports
19 can be relaxed to a calendar quarterly (as opposed to monthly) basis without
20 impairing the Commission's requirement to ensure that Verizon-RI does not
21 discriminate in favor of its own retail customers to the detriment of its
22 competitors that use the Company's facilities to compete in the RI retail market.
23 Consistent with this belief, the Division also recommends that the specific

1 penalties associated with the retail service quality measurement program are no
2 longer necessary and, accordingly, the Division recommends that the Commission
3 now abandon the penalty aspect of the retail service quality program.

4

5 **Q. DOES THAT CONCLUDE YOUR TESTIMONY AT THIS TIME?**

6 **A.** Yes, it does.

**STATEMENT OF EDUCATION AND EXPERIENCE
FOR
THOMAS H. WEISS, P.E.**

**President
Weiss Consulting, Inc.
5508 Lake Edge Drive
Holly Springs, North Carolina 27540**

Telephone: (919) 557-9771

GENERAL

Mr. Weiss is a Registered Professional Engineer with over 35 years of experience in the communications industry. His professional education includes a Bachelor of Science degree in electrical engineering and a Master of Science degree in business management with emphasis in finance and economics. His employment experience includes eight years in engineering and financial management positions with a major domestic telecommunications utility company; and over twenty-seven years as an engineering and economic consultant to U. S. federal and state governments, foreign governments and businesses, domestic businesses, and consumer groups.

Mr. Weiss' consulting practice has focused on telecommunications technology and regulatory issues, principally as those issues impact the service provided by, and the prices charged for service by domestic telecommunications utilities, including the former regional Bell operating companies; the former GTE telephone operating companies; AT&T and other interexchange carriers; and various independent telephone companies. He has presented expert testimony, primarily on behalf of regulatory commission staffs, in over one-hundred and fifty proceedings before the Federal Energy Regulatory Commission, and public utility regulators in twenty-nine states and the District of Columbia. In addition, Mr. Weiss has presented expert testimony on telecommunications system management and engineering issues before the United States District Court for the Northern District of Dallas and before the Washtenaw County (Michigan) Circuit Court.

WORK HISTORY

1994 - 2005 **WEISS CONSULTING, INC.; President**
Founded Weiss Consulting, Inc. in June 1994 to provide telecommunications technical and economic consulting services to federal and state governments, consumer groups, and to businesses in their capacity as consumers of telecommunications products and services.

1986 - 1994 **BAKER G. CLAY & ASSOCIATES, INC.; Vice President**

Provided technical and economic consulting services to federal and state governments, consumer groups, and to businesses in their capacity as consumers of telecommunications products and services; and electric, and natural gas transportation and distribution services in wholesale and retail markets.

1978 - 1986 HESS & LIM, INC.; Senior Consultant

Duties and responsibilities the same as those described for Baker G. Clay & Associates, Inc.

1970 - 1978 GENERAL TELEPHONE COMPANY OF THE SOUTHEAST;

1977 - 1978 Corporate Budgets and Results Manager responsible to the Vice President of Operations for development and administration of seven-state telephone company operating expense budget.

1975 - 1976 Revenues and Earnings Manager responsible to the Corporate Director of Revenues and Earnings for development and administration of rates, tariffs, and rate filings before the FCC and regulatory bodies in three state jurisdictions.

1973 - 1975 Alabama Division Engineering Manager responsible to the state Vice President for all company plant (land, buildings, inside and outside plant) engineering activity including plant design, capital budget development and administration, for the company's operations in the State of Alabama.

1970 - 1973 Supervising Plant Extension Engineer responsible to the General Plant Extension Engineer for development of capital investment deployment plans.

EDUCATION

- ? Master of Science in Business Management, Duke University Graduate School of Business Administration (the Fuqua School of Business); Durham, NC; June 1973.
- ? Bachelor of Science in Electrical Engineering, North Carolina State University at Raleigh; Raleigh, NC; 1970.

PROFESSIONAL

- ? Registered Professional Engineer licensed to practice in Maryland and Missouri.
- ? Member, Institute of Electrical and Electronic Engineers (IEEE), Communications Society, Network Society, Computer Society.
- ? Member, National and North Carolina Societies of Professional Engineers, Private Practice Division.

OTHER

- ? Advisor (Accounting and Regulation), Telecommunications Regulatory Authority of Southern Africa (TRASA) serving Angola, Botswana, Comoros, the Democratic Republic of the Congo, the Kingdom of Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, the republic of South Africa, Seychelles, Swaziland, Tanzania, and Zambia.
- ? Invited speaker and panel member, 2001 RAPID Workshop, Telecommunications Regulatory of Southern Africa (TRASA).
- ? Author, *Critical Elements and Fundamental Requirements of a Regulatory Accounting System*, a paper presented to the 2001 RAPID Workshop, Telecommunications Regulatory Authority for Southern Africa (TRASA).
- ? Faculty, 1989 United States Telephone Association (USTA) Advanced Management Workshop, University of Kansas at Lawrence.
- ? Author, *Public Utility Plant Investment Decisions in the Face of Advancing Technology and Regulatory Policy Reform*, Proceedings of the 27th Regulatory Conference, Iowa State University, Ames (1988)
- ? Invited speaker and panel member, 1988 Iowa State University Regulatory Conference.
- ? Invited speaker and panel member, 1984 Public Utilities Conference, University of Georgia College of Business.